

DOC #:

DATE FILED: 12/27/07

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORKMICHAEL D. LOCKWOOD and ALGONQUIN  
CAPITAL MANAGEMENT, LLC, a Connecticut  
Limited Liability Company,

Plaintiffs,

vs.

JOSEPH MACEDA,

Defendant.

Case No. 07-cv-7524 (HB)

STIPULATION AND ORDER CONSOLIDATING  
DISCOVERY IN RELATED ACTIONS

Plaintiffs Michael D. Lockwood and Algonquin Capital Management, LLC, on the one hand, and Defendant Joseph Maceda, on the other (collectively the "Parties"), hereby stipulate and agree as follows:

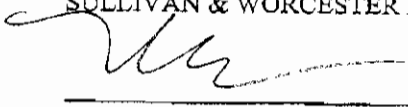
1. The Parties consent to a consolidation, but at this time only for discovery purposes, of the above-captioned action, Case No. 1:07-cv-07524, with the action styled as *Algonquin Capital Management, LLC v. Joseph Maceda*, No. 1:07-cv-07522 (the "Related Action");
2. For purposes of consolidated discovery, the Parties agree to conduct discovery pursuant to the deadlines set by the Court in the Related Action and to cooperate reasonably in an effort to employ and serve discovery requests, responses and depositions in this and the Related Action in a manner designed to avoid duplicative efforts;
3. Within fifteen (15) days of the close of discovery in the Related Action, the Parties will confer with each other and report their views to this Court regarding the potential consolidation of this and the Related Action.

{N0101363; 1}


Respectfully submitted,

Dated: New York, New York  
November 14, 2007

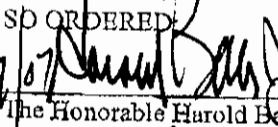
SULLIVAN & WORCESTER LLP

  
Barry S. Pollack (BP 4039)  
e-mail: bpollack@sandw.com  
Mary Cecilia Sweeney (MS 6047)  
e-mail: msweeney@sandw.com  
1290 Avenue of the Americas  
29th Floor  
New York, New York 10104  
Tel: (212) 660-3000  
Fax: (212) 660-3001  
Attorneys for Plaintiffs

WHITE, CIRRITO & NALLY, LLP

  
Michael L. Cirrito (MLC 9053)  
58 Hilton Avenue  
Hempstead, NY 11550  
(516) 292-1818  
Attorneys for Defendants

SO ORDERED

6/27/07   
The Honorable Harold Baer, USDJ

Endorsement:

While I'm signing this order it in no way suggests nor should it that these matters are not to be consolidated indeed my view at this point is that they should and further my PTISO is to be followed.